



**Dated: March 30, 2017
The following is SO ORDERED:**


George W. Emerson, Jr.
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**In Re:
Christopher Allen Pritchard
and Amy Catherine Pritchard,
Debtors.**

**Chapter 13
Case No. 16-28641**

**In Re:
Christopher Allen Pritchard
and Amy Catherine Pritchard,
Plaintiffs.**

AP Case No. 16-00292

vs.

**Wells Fargo, N.A.,
Defendant.**

ORDER GRANTING RELIEF IN ADVERSARY PROCEEDING

This cause came on to be heard before this Honorable Court upon above styled adversary proceeding; and it appearing to the Court that the Plaintiff's Motion for Default Judgment was granted, that the requested relief was not for damages, but for determination of the status of the

secured debt; and it further appearing to the Court that the value of the debtor's residential real property was less than the debt owed to the holder of the 1st mortgage at the time of the filing of the Complaint and that no equity exists in said property to secure the 2nd mortgage held by the defendant Wells Fargo Bank, N.A.; and that good cause therefore exists to grant the following relief;

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

- 1) The 2nd mortgage held by the defendant Wells Fargo Bank, N.A., for which no proof of claim has been filed, by virtue of a deed of trust is declared to be unsecured and not as secured;
- 2) Any monies heretofore paid to the defendant Wells Fargo Bank, N.A. are hereby deemed to satisfy the payment requirement to said defendant Bank when treated as an unsecured claim by the instant Chapter 13 Plan of the debtors;
- 3) The lien of the defendant Wells Fargo Bank, N.A. on the debtors' real property at 3039 Poplar Grove Lane, Germantown, TN 38139, is dissolved or vacated upon the entry of the Order of Discharge in the debtors' instated Chapter 13 proceeding;
- 4) The Chapter 13 Trustee shall effectuate this Order of the Court in the debtors' Chapter 13 Plan.

APPROVED:

THE COHN LAW FIRM

/s/ William A. Cohn
William A. Cohn
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TN Supreme Court No. 005873
TX Supreme Court No. 04512980

By: /s/ Sylvia F. Brown
Chapter 13 Trustee

Please Serve:

Attorney
Trustee
Debtors
All Interested Parties